

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MARK HALL, )  
                  )  
Petitioner,    )  
vs.             )                          NO. CIV-08-0113-HE  
                  )  
WARDEN ADDISON, )  
                  )  
Respondent.    )

**ORDER**

Petitioner Mark Hall, a state prisoner appearing *pro se*, instituted this action pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B), this matter was referred to Magistrate Judge Gary M. Purcell, who recommended that the petition be dismissed with prejudice because petitioner failed to exhaust his state statutory remedy and the time to do so has now expired.

Petitioner has failed to object to the Report and Recommendation and, therefore, has waived his right to appellate review of the factual and legal issues it addresses. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1); LCvR 72.1(a). Also, the court substantially concurs with the magistrate judge's analysis.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #9] and **DISMISSES** the petition for a writ of habeas corpus with prejudice.

**IT IS SO ORDERED.**

Dated this 8<sup>th</sup> day of April, 2008.

  
JOE HEATON  
UNITED STATES DISTRICT JUDGE